

KEVIN R. STOLWORTHY, ESQ.  
Nevada Bar No. 2798  
MICHELLE D. ALARIE, ESQ.  
Nevada Bar No. 11894  
ARMSTRONG TEASDALE LLP  
3770 Howard Hughes Parkway, Suite 200  
Las Vegas, NV 89169  
Telephone: (702) 678-5070  
Facsimile: (702) 878-9995  
kstolworthy@atllp.com  
malarie@atllp.com

*Attorneys for Plaintiffs/Counter-claimants Sportsman's Royal Manor, LLC and Gary Brennan*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RSUI INDEMNITY COMPANY, a New  
Hampshire Stock Company; and EVANSTON  
INSURANCE COMPANY, an Illinois corporation

Plaintiffs,

vs.

SPORTSMAN'S ROYAL MANOR, LLC, a  
Nevada Limited Liability Company; DOMONIQUE  
BROWNING-PALMER, individually; GARY  
BRENNAN, individually;

Defendants.

SPORTSMAN'S ROYAL MANOR, LLC; GARY  
BRENNAN;

Counter-claimants,

vs.

RSUI INDEMNITY COMPANY; EVANSTON  
INSURANCE COMPANY; KAERCHER  
CAMPBELL & ASSOCIATES INSURNACE  
BROKERAGE OF NEVADA, LLC; KAERCHER  
INSURANCE, AN ALERA GROUP AGENCY,  
LLC; and DOE DEFENDANTS 1-10; ROE  
DEFENDANTS 11-20;

Counter-defendants.

Case No.: 2:20-cv-01484-RFB-VCF

**STIPULATION AND PROPOSED  
ORDER TO EXTEND DEADLINES  
FOR DEFENDANTS SPORTSMAN'S  
ROYAL MANOR, LLC AND GARY  
BRENNAN TO RESPOND TO FED. R.  
CIV. P. 12 MOTIONS FILED BY RSUI  
INDEMNITY COMPANY,  
EVANSTON INSURANCE  
COMPANY, AND KAERCHER  
INSURANCE DEFENDANTS [ECF  
NOS. 58, 59, 60, 61]**

**FIRST REQUEST**

Defendants/Counter-claimants, Sportsman's Royal Manor, LLC and Gary Brennan (collectively, "Sportsman's"), by and through their counsel, Armstrong Teasdale LLP, Plaintiff/Counter-defendant RSUI Indemnity Company ("RSUI"), by and through its counsel, Christian, Kravitz, Dichter, Johnson & Sluga, PLLC, Plaintiff/Counter-defendant Evanston Insurance Company ("Evanston"), by and through its counsel, Clyde & Co US LLP, and Counter-defendants Kaercher Campbell & Associates Insurance Brokerage of Nevada, LLC and Kaercher Insurance, an Alera Group Agency, LLC (collectively, "Kaercher Insurance"), by and through their counsel, Lipson Neilson PC, hereby move pursuant to Fed. R. Civ. P. 6 and Local Rule LR IA 6-1, to extend Sportsman's deadline from January 5, 2021, to January 22, 2021, to respond to the Fed. R. Civ. P. 12 motions recently filed by RSUI, Evanston, and Kaercher Insurance, including:

- RSUI's Motion to Dismiss Counts 1,2,3, and 4 of the First Amended Counterclaim (ECF No. 58), filed December 22, 2020;
- Kaercher Campbell & Associates Insurance Brokerage of Nevada, LLC and Kaercher Insurance, an Alera Group Agency, LLC's Motion to Dismiss Counts 6, 7, and 8 of Sportsman's Royal Manor, LLC and Gary Brennan's First Amended Counterclaim (ECF No. 59), filed December 22, 2020;
- Evanston Insurance Company's Motion to Dismiss Count 1 through 4 of the First Amended Counterclaim and Counterclaimants' Claim for Exemplary and Punitive Damages (ECF No. 60), filed December 22, 2020; and
- Evanston Insurance Company's Motion to Strike Counterclaimants' Request for Exemplary Damages and Punitive Damages (ECF No. 61), filed December 22, 2020

(collectively, the "Rule 12 Motions"). This is the first request to extend these particular deadlines.

Good cause exists to extend Sportsman's deadlines to respond to the Rule 12 Motions to January 22, 2021. As a condition to Sportsman's consenting to provide Counter-defendants additional time up to an including December 22, 2020, to respond to the First Amended Counterclaim, Sportsman's requested that the Counter-defendants likewise consent to a reciprocal extension in the event Counter-defendants filed Fed. R. Civ. P. 12 motions in response to the First Amended Counterclaim. Sportsman's requested this extension because if any Fed. R. Civ. P. 12 motions were filed on December 22, 2020, the opposition deadlines would fall on January 5, 2021, which is shortly after the Christmas and New Year's holidays. Sportsman's counsel will be out-of-

1 office for much of the holidays. In addition, due to the considerable number of pending motions,  
2 Sportsman's requires additional time to be able to fully respond. RSUI, Evanston, and Kaercher  
3 Insurance agree to the January 22, 2021, opposition deadlines. This request is made in good faith  
4 and is not intended to unreasonably delay this matter. In particular, this case was only recently filed  
5 and the parties only recently conducted their case conference under Fed. R. Civ. P. 26(f), and the  
6 Scheduling Order was entered just this week (ECF No. 56).

7 ///

8 ///

9 ///

10 ///

11 ///

12 ///

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

Based on the foregoing, the parties respectfully request that this Court extend Sportsman's deadlines to respond to the pending Rule 12 Motions to January 22, 2021.

Dated this 29<sup>th</sup> day of December, 2020.

**ARMSTRONG TEASDALE LLP**

By: /s/ Michelle D. Alarie

KEVIN R. STOLWORTHY, ESQ. (NV Bar #2798)

MICHELLE D. ALARIE, ESQ. (NV Bar #11894)

3770 Howard Hughes Parkway, Suite 200  
Las Vegas, Nevada 89169

*Attorneys for Defendants/Counter-claimants  
Sportsman's Royal Manor, LLC and Gary  
Brennan*

**CLYDE & CO US LLP**

By: /s/ Peter J. Whalen

PETER J. WHALEN, ESQ.

JENNIFER D. MCKEE, ESQ. (NV Bar #9624)

3960 Howard Hughes Parkway, Suite 500  
Las Vegas, Nevada 89169

*Attorneys for Plaintiff/Counter-defendant  
Evanston Insurance Company*

**MATTHEW L. SHARP, LTD.**

By: /s/ Matthew L. Sharp

MATTHEW L. SHARP, ESQ. (NV Bar #4746)

432 Ridge Street  
Reno, Nevada 89509

*Attorneys for Defendant Domonique Browning-  
Palmer*

**CHRISTIAN, KRAVITZ, DICHTER,  
JOHNSON & SLUGA, PLLC**

By: /s/ Gena L. Sluga

GENA L. SLUGA, ESQ. (NV Bar #9910)

MARTIN KRAVITZ, ESQ. (NV Bar #83)

TYLER J. WATSON, ESQ. (NV Bar #11735)

8985 Eastern Avenue, Suite 200  
Las Vegas, Nevada 89123

*Attorneys for Plaintiff/Counter-defendant RSUI  
Indemnity Company*

**LIPSON NEILSON P.C.**

By: /s/ Amanda A. Ebert

JOSEPH P. GARIN, ESQ. (NV Bar #6653)

AMANDA A. EBERT, ESQ. (NV Bar #12731)

9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144

*Attorneys for Counter-defendants Kaercher  
Campbell & Associates Insurance Brokerage of  
Nevada, LLC and Kaercher Insurance, an Alera  
Group Agency, LLC*

**IT IS SO ORDERED:**



**RICHARD F. BOULWARE, II**

**United States District Judge**

DATED this 3rd day of January, 2021.